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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

8 CARMEN COPELAND,

9 Plaintiff,

10 v.

11 CITY OF CAMAS,

12 Defendant.

Case No. C19-5935-BHS-MLP

ORDER

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14 This matter comes before the Court upon Defendant's motion asking the Court to vacate
15 and continue the dates set forth in the October 16, 2019 Order Regarding Initial Disclosures,
16 Joint Status Report, and Early Settlement. (Dkt. # 10.) Defendant asserts that good cause exists
17 for this proposed modification of the Court's Order, because if the Court grants Defendant's
18 pending motion to dismiss (dkt. # 6), which is noted for November 8, 2019, both parties will
19 have saved the time and expense of exchanging documents and drafting the joint status report.
20 (Dkt. # 10 at 1.)

21 The Court, having reviewed the complaint and Defendant's motion to dismiss, finds that
22 Defendant has shown good cause to modify the Court's October 16, 2019 Order in this case. *See*
23 LCR 16(b)(5) (parties are bound by the dates specified in the scheduling order, and a schedule

1 may be modified only for good cause and with the judge's consent). The fact that a dispositive
2 motion is pending does not generally constitute good cause to modify a Scheduling Order, or
3 render the parties' obligations to comply with their obligations to meet and confer and conduct
4 discovery unduly burdensome. *See Gerow v. Washington*, Case No. C08-5087-BHS, 2008 WL
5 4186169, *1 (W.D. Wash. September 9, 2008) (finding "no persuasive reason for disregarding
6 the case schedule" because "a pending dispositive motion . . . does not make discovery
7 obligations unduly burdensome or expensive.") Having closely reviewed the Plaintiff's
8 complaint, however, the Court finds that Defendant's motion to dismiss Plaintiff's claims in this
9 action has a high likelihood of success on the merits. As a result, for the sake of judicial
10 economy and reducing unnecessary expense to the parties, the Court shall vacate the pending
11 deadlines, to be promptly reset if Defendant's motion to dismiss is denied. **Plaintiff is reminded**
12 **that any opposition to Defendant's motion to dismiss must be filed by no later than**
13 **Monday, November 4, 2019.**

14 Accordingly, the Court VACATES its prior Order setting deadlines for initial disclosures
15 and the joint status report. (Dkt. # 9). The Clerk is directed to send copies of this Order to the
16 parties and to the Honorable Benjamin H. Settle.

17 Dated this 31st day of October, 2019.

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19 MICHELLE L. PETERSON
20 United States Magistrate Judge
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